

RESOLUTION NO.: 11-22

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, RELEASING UNITY OF TITLE SIGNED ON MAY 17, 1966; RELEASING UNITY OF TITLE SIGNED ON JULY 30, 1984; AND RELEASING DECLARATION OF RESTRICTIVE COVENANTS SIGNED ON AUGUST 11, 2000 ON **PROPERTY LOCATED AT 1230 WEST 29 STREET AND PROPERTY LOCATED AT 2800 WEST 12TH AVENUE, HIALEAH, MIAMI-DADE COUNTY, FLORIDA;** AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Unity of Title was signed on May 17, 1966, a second Unity of Title was signed on July 30, 1984, and a Declaration of Restrictive Covenants was made and signed in favor of the City of Hialeah, Florida, on August 11, 2000, all restricting commercial development on the property;

WHEREAS, the property remains vacant and undeveloped;

WHEREAS, the property will be replatted, such that it conforms with minimum zoning and fire code requirements, including the dedication of a portion of the property for right-of-way purposes for what would be West 28 Street, for the proposed construction of a CVS; and

WHEREAS, the two Unity of Title and Declaration of Restrictive Covenant are of no benefit to the public health, safety, and welfare, in light of the proposed development, and the property owner desires to have them released.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1. The foregoing facts and recitations contained in the preamble of this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2. The Mayor and the City Council of the City of Hialeah, Florida hereby release the Unity of Title signed on May 17, 1966, the Unity of Title signed on July

RESOLUTION NO. 11-22

Page 2

30, 1984, and the Declaration of Restrictive Covenants signed on August 11, 2000 from the property located at 1230 West 29 Street, Hialeah, Miami-Dade County, Florida and the property located at 2800 West 12th Avenue, Hialeah, Miami-Dade County, Florida.

Section 3: This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.


PASSED AND ADOPTED this 22nd day of March, 2011.



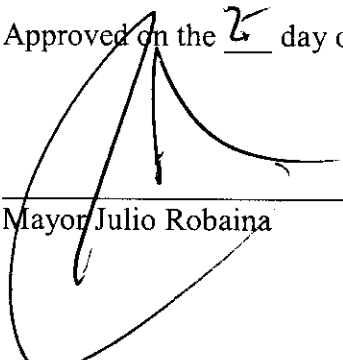
Carlos Hernandez
Council President

Attest:

Approved on the 2 day of March, 2011.



David Concepcion, Acting City Clerk



Mayor Julio Robaina

Approved as to legal sufficiency and form:



William M. Grodnick, City Attorney

#10164620_v3

Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".

Holland & Knight

200 South Orange Avenue, Suite 2600 | Orlando, FL 32801 | T 407.425.8500 | F 407.244.5288
Holland & Knight LLP | www.hklaw.com

Leslie C. Candes
(407) 244-5125
leslie.candes@hklaw.com

May 2, 2011

VIA UPS

Lorena E. Bravo
Assistant City Attorney
City of Hialeah
501 Palm Avenue - Fourth Floor
Hialeah, Florida 33010

Re: CVS Store No: 58255 to be located at West 29th Street and W 12th Avenue,
Hialeah, Miami-Dade County, Florida

Dear Lorena:

In connection with the above referenced property, enclosed herein please find the following documents:

1. Original Resolution recorded in Official Records Book 27658, Page 92, Public Records of Miami-Dade County, Florida;
2. Original Release of Unity of Title for the 1966 document recorded in Official Records Book 27658, Page 95, Public Records of Miami-Dade County, Florida;
3. Original Release of Unity of Title for the 1984 document recorded in Official Records Book 27658, Page 98, Public Records of Miami-Dade County, Florida; and
4. Original Release of Declaration of Restrictive Covenants recorded in Official Records Book 27658, Page 101, Public Records of Miami-Dade County, Florida.

LSO
11-22

Lorena E. Bravo
May 2, 2011
Page 2

Please feel free to contact me should you have any comments or questions regarding the foregoing documents.

Sincerely yours,

A handwritten signature in black ink, reading "Leslie C. Candes". The signature is written in a cursive, flowing style.

Leslie C. Candes

Enclosures

cc: Chris Brockman (Via E-mail)
Patrick Dolezal (Via E-mail)
Bryan Cook (Via E-mail)
Paul Trembley (Via E-mail)

#10311699_v1



CFN 2011R0251327
DR Bk 27658 Pgs 0098 - 1007 (3pgs)
RECORDED 04/19/2011 09:56:59
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

DOCUMENT COVER PAGE

For those documents not providing the **required** space on the first page, this cover page must be attached.

It must describe the document in sufficient detail to prohibit its transference to another document.

An additional recording fee for this page must be remitted.

(Space above this line reserved for recording office use)

Document Title: RELEASE OF UNITY OF TITLE
(Mortgage, Deed, Construction Lien, Etc.)

Executing Party: ARMANALO INVESTMENTS

Legal Description: 1230 W. 29TH ST #
(If Applicable)

2800 W. 12TH AVE HIALEAH, FL
As more fully described in above described document.

Return Document To / Prepared By:

HOLLAND & KNIGHT, LLP

ATTN: LESLIE CANDES

200 S. ORANGE AVE #2600 ORL FL 32801

**F.S. 695.26 Requirements for recording instruments affecting real property—
(Relevant excerpts of statute)**

(1) No instrument by which the title to real property or any interest therein is conveyed, assigned, encumbered, or otherwise disposed of shall be recorded by the clerk of the circuit court unless:

(e) **A 3-inch by 3-inch space at the top right-hand corner on the first page** and a 1-inch by 3-inch space at the top right-hand corner on each subsequent page are reserved for use by the clerk of the court...

RELEASE OF UNITY OF TITLE

This Release of Unity of Title Agreement made at 501 Palm Avenue, Hialeah, Florida 33010 this 25th day of March, 2011, by Armanalo Investments, Inc., a Florida corporation (the "Property Owner"), and the City of Hialeah, a municipal corporation organized and existing under the laws of the State of Florida (the "City").

WITNESSETH:

WHEREAS, on July 30, 1984, John Couture, as President of John Couture, Inc., executed a Unity of Title which was recorded in Official Records Book 12309, at pages 573-574, of the Public Records of Miami-Dade County, Florida on property situate and lying in Miami-Dade County, Florida (the "Unity of Title"), legally described as follows:

A portion of Tract 49, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1 of Section 11, Township 53 South, Range 40 East, as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida; being more particularly described as follows:

Commence at the Northeast corner of said Tract 49, thence South 89°30'49" West, along the North line of said Tract 49, for 35.01 feet; thence South 02°00'00" East for 30.01 feet to a point on the South right-of-way line of West 29 Street, said point being the Point of Beginning of a parcel of land hereinafter described; thence South 89°30'49" West, along the South right-of-way line of West 29 Street, for 145.09 feet; thence South 02°00'00" East for 174.78 feet; thence North 89°30'49" East for 25.02 feet; thence North 02°00'00" West for 30.00 feet; thence North 89°30'49" East for 120.08 feet to a point on the West right-of-way line of West 12 Avenue; thence North 02°00'00" West along the West right-of-way line of West 12 Avenue, for 144.78 feet to the Point of Beginning. Said lands lying and being in Hialeah, Miami-Dade County, Florida (hereinafter the "Property").

WHEREAS, the Unity of Title was executed in consideration of a building permit for the construction of an apartment building on a portion of the Property subject to its demolition upon development of the entire Property; and

WHEREAS, the Property described above is now subject to a contract for sale for the construction of a CVS which includes the demolition of the apartment building and the Property Owner wishes to have the Unity of Title released; and

WHEREAS, the Property will be subdivided through the platting process and meet minimum zoning and fire code requirements; and

WHEREAS, the Mayor and the City Council approved the Release of the Unity of Title on March 22, 2011 by Hialeah, Fla., Resolution 11-22 (Mar. 22, 2011).

NOW, THEREFORE, in consideration of the premises hereof, the Property Owner and the City agree that aforesaid Unity of Title dated July 30, 1984 executed by John Couture, as President of John Couture, Inc., is hereby released, nullified and cancelled.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective officials thereunto duly authorized this day and year first above written.

Signed, sealed and delivered
in the presence thereof:

[Signature]
Witness
Printed/typed Name: LILLIE TH RODRIGUEZ

ARMANALO INVESTMENTS, INC.,
a Florida corporation

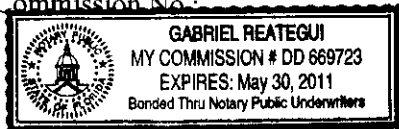
[Signature]
Witness
Printed/typed Name: Gabriel Reategui

By: [Signature]
Printed Name: BRUNO COUTURE
Its: P.R.

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 11th day of March, 2011, by Bruno Couture as the President of Armanalo Investments, Inc., a Florida corporation. S/He is personally known to me or has produced FL Driver license as identification and did (did not) take an oath.

My Commission No.:



[Signature]
Notary Public, State of Florida

CITY OF HIALEAH, FLORIDA
501 Palm Avenue
Hialeah, Florida 33011

Attest:
[Signature]
David Concepcion, Acting City Clerk

By: [Signature] 3/21/11
Mayor Julio Robaina Date

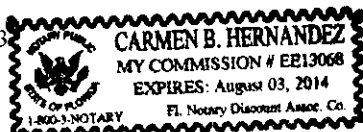
Approved as to legal sufficiency and as to form:

[Signature]
William M. Grodnick, City Attorney

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 25th day of March, 2011, by Julio Robaina, as Mayor of the City of Hialeah, a Florida municipal corporation, and attested by David Concepcion, Acting City Clerk of the City of Hialeah, Florida on behalf of the City of Hialeah. They are personally known to me or have produced _____ as identification and did (did not) take an oath.

#10165289_v3



[Signature]
Notary Public, State of Florida



CFN 2011R0251326
DR Bk 27658 Pgs 0095 - 97; (3pgs)
RECORDED 04/19/2011 09:56:59
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

DOCUMENT COVER PAGE

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(Space above this line reserved for recording office use)

Document Title: RELEASE OF UNITY OF TITLE
(Mortgage, Deed, Construction Lien, Etc.)

Executing Party: ARMANALD INVESTMENTS

Legal Description: 1230 W. 29TH ST #
(If Applicable) 2800 W. 12TH AVE HIALEAH, FL
As more fully described in above described document.

Return Document To / Prepared By:

HOLLAND & KNIGHT, LLP
ATTN: LESLIE CANDES
200 S. ORANGE AVE #2600 ORL FL 32801

**F.S. 695.26 Requirements for recording instruments affecting real property—
(Relevant excerpts of statute)**

(1) No instrument by which the title to real property or any interest therein is conveyed, assigned, encumbered, or otherwise disposed of shall be recorded by the clerk of the circuit court unless:

(e) **A 3-inch by 3-inch space at the top right-hand corner on the first page** and a 1-inch by 3-inch space at the top right-hand corner on each subsequent page are reserved for use by the clerk of the court...

RELEASE OF UNITY OF TITLE

This Release of Unity of Title Agreement made at 501 Palm Avenue, Hialeah, Florida 33010 this 25th day of March, 2011, by Armanalo Investments, Inc., a Florida corporation (the "Property Owner"), and the City of Hialeah, a municipal corporation organized and existing under the laws of the State of Florida (the "City").

WITNESSETH:

WHEREAS, on May 17, 1966, John Couture, individually, executed a Unity of Title which was recorded in Official Records Book 5477, at page 614, of the Public Records of Miami-Dade County, Florida on property situate and lying in Miami-Dade County, Florida, legally described as follows:

The East 396 feet of Tract 49, lying in Section 11, Township 53 South, Range 40 East, less the East 120 feet of the South 155 feet, and less the West 128 feet of the East 248 feet of the South 125 feet, and less the North 30 feet of the East 396 feet, and less the East 35 feet of the South 145 feet of the North 175 feet.

WHEREAS, the Unity of Title was executed to enable subdivision and development of a portion of Tract 49; and

WHEREAS, the portion of Tract 49 described above was not developed and remains vacant, and is now subject to a contract for sale for the construction of a CVS and the property owner wishes to have the Unity of Title released; and

WHEREAS, the property will be subdivided into lots through the platting process and meet minimum zoning and fire code requirements; and

WHEREAS, the Mayor and the City Council approved the Release of the Unity of Title on March 22, 2011 by Hialeah, Fla., Resolution 11- 22 (Mar. 22, 2011); and

WHEREAS, the property owner has executed this Release.

NOW, THEREFORE, in consideration of the premises hereof, the Property Owner and the City agree that aforesaid Unity of Title dated May 17, 1966 executed by John Couture, is hereby released, nullified and cancelled.

(THIS SPACE IS INTENTIONALLY LEFT BLANK.)

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their respective officials thereunto duly authorized this day and year first above written.

Signed, sealed and delivered
in the presence thereof:

[Signature]
Witness
Printed/typed Name: LILLIETH RODRIGUEZ

[Signature]
Witness
Printed/typed Name: Gabriel Reategui

ARMANALO INVESTMENTS, INC.,
a Florida corporation

By: *[Signature]*
Printed Name: BRUNO COATJARE
Its: PR

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 11 day of March, 2011, by Bruno Coatjare as the President of Armanalo Investments, Inc., a Florida corporation. He is personally known to me or has produced FL Driver License as identification and did (did not) take an oath.



[Signature]
Notary Public, State of Florida

CITY OF HIALEAH, FLORIDA
501 Palm Avenue
Hialeah, Florida 33011

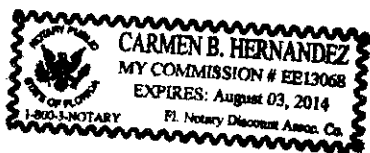
Attest:
[Signature]
David Concepcion, Acting City Clerk

By: *[Signature]* 3-28-11
Mayor Julio Robaina Date

Approved as to legal sufficiency and as to form:
[Signature]
William M. Grodnick, City Attorney

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 25 day of March, 2011, by Julio Robaina, as Mayor of the City of Hialeah, a Florida municipal corporation, and attested by David Concepcion, Acting City Clerk of the City of Hialeah, Florida on behalf of the City of Hialeah. They are personally known to me or have produced _____ as identification and did (did not) take an oath.



[Signature]
Notary Public, State of Florida



CFN 2011R0251328
OR Bk 27658 Pgs 0101 - 1027 (2pgs)
RECORDED 04/19/2011 09:56:59
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

Document prepared by and
return to:

City of Hialeah
Law Department
501 Palm Avenue, 4th Floor
Hialeah, Florida 33010
(305) 883-5854

RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS

This release of Declaration of Restrictive Covenants made at 501 Palm Avenue, Hialeah, Florida 33010, this 25th day of March, 2011, by the City of Hialeah, Florida, a Florida municipal corporation (the "City").

WHEREAS, the then property owners entered into a Declaration of Restrictive Covenants signed on August 11, 2000, recorded in official Records Book 19289, at page 3119-3121, of the Public Records of Miami-Dade County, Florida (the "Declaration"), in favor of the City on property situate and lying in Miami-Dade County, Florida, legally described as follows:

A portion of Tract 49, FLORIDA FRUIT COMPANY'S SUBDIVISION NO.1 of Section 11, Township 53 South, Range 40 East, as recorded in Plat Book 2, at Page 17, of the Public Records of Miami-Dade County, Florida; being more particularly described as follows: Commence at the Southeast corner of Tract 49, thence North 88°16'25" Westerly for 35.01 feet; thence North 00°09'43" Easterly along a line that is 35 feet West of and parallel to said East line of Tract 49 for 250.45 feet to the point of curvature of a circular curve to the left which has for its elements a radius of 25 feet, delta (central angle) of 88°26'20"; thence Northerly and Westerly along the arc of said curve for an arch distance of 38.59 feet to the point of tangency; thence North 88°16'37" West along a line that is 30 feet South of and parallel to the North line of Tract 49 for 195.68 feet; thence South 00°09'43" West for 174.78 feet; thence South 88°16'25" Easterly for 19.95 feet; thence South 00°09'43" West for 100 feet; thence South 88°16'25" East for 200.07 feet to the point of beginning (the "Property").

WHEREAS, the Declaration was proffered by the then property owners in support of their petition to rezone the Property from residential multi-family district (R-3)

to liberal retail commercial district (C-2) restricting the future commercial development of the property; and

WHEREAS, the Property was rezoned pursuant to Hialeah, Fla., Ordinance 99-67 (May 25, 1999); and

WHEREAS, the Property remains undeveloped and is now the subject of a contract for sale for commercial development meeting minimum zoning and fire code requirements, specifically the construction of a CVS.


NOW, THEREFORE, in furtherance of the approval by the Hialeah City Council releasing the Declaration encumbering the Property, the City hereby releases, cancels and rescinds the Declaration.

IN WITNESS WHEREOF, the City of Hialeah has caused this instrument to be executed by the respective officials thereunto duly authorized on March 25, 2011.

Signed, sealed and delivered
in the presence of:

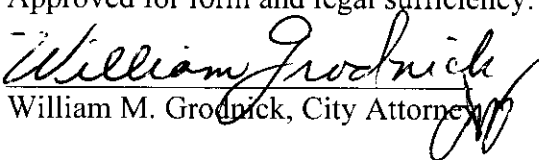
Authorized signature on behalf of
the City of Hialeah, Florida
501 Palm Avenue
Hialeah, Florida 33011-0040

Attest:


David Concepcion
Acting City Clerk (SEAL)


Mayor Julio Robaina Date 3-25-11

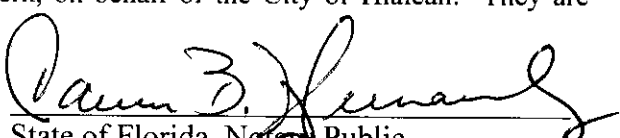
Approved for form and legal sufficiency:

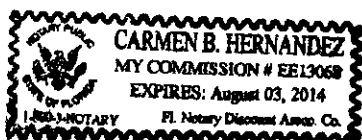

William M. Grodnick, City Attorney

State of Florida
County of Miami-Dade

The foregoing instrument was acknowledged before me this 25 day of March, 2011 by Julio Robaina, as Mayor of the City of Hialeah, a Florida municipal corporation, and attested by David Concepcion, Acting City Clerk, on behalf of the City of Hialeah. They are personally known to me and did take an oath.

My Commission number:


State of Florida, Notary Public
Typed/printed name: Carmen B. Hernandez



#10165282_v4



CFN 2011R0251325
OR Bk 27658 Pgs 0092 - 94; (3pgs)
RECORDED 04/19/2011 09:56:59
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

DOCUMENT COVER PAGE

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Document Title: RESOLUTION NO 11-22
(Mortgage, Deed, Construction Lien, Etc.)

Executing Party: ARMANALD INVESTMENTS

Legal Description: 1230 W. 29TH ST #
(If Applicable) 2800 W. 12TH AVE HIALEAH, FL
As more fully described in above described document.

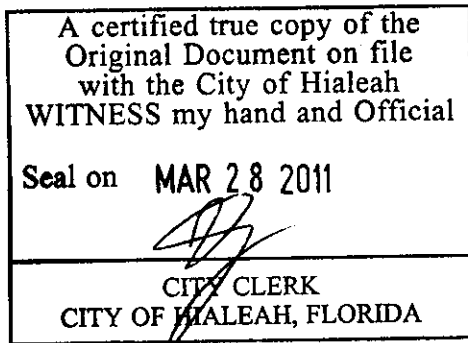
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HOLLAND & KNIGHT, LLP
ATTN: LESLIE CANDES
200 S. ORANGE AVE #2600 ORL FL 32801

**F.S. 695.26 Requirements for recording instruments affecting real property—
(Relevant excerpts of statute)**

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RESOLUTION NO.: 11-22



RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, RELEASING UNITY OF TITLE SIGNED ON MAY 17, 1966; RELEASING UNITY OF TITLE SIGNED ON JULY 30, 1984; AND RELEASING DECLARATION OF RESTRICTIVE COVENANTS SIGNED ON AUGUST 11, 2000 ON **PROPERTY LOCATED AT 1230 WEST 29 STREET AND PROPERTY LOCATED AT 2800 WEST 12TH AVENUE, HIALEAH, MIAMI-DADE COUNTY, FLORIDA;** AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Unity of Title was signed on May 17, 1966, a second Unity of Title was signed on July 30, 1984, and a Declaration of Restrictive Covenants was made and signed in favor of the City of Hialeah, Florida, on August 11, 2000, all restricting commercial development on the property;

WHEREAS, the property remains vacant and undeveloped;

WHEREAS, the property will be replatted, such that it conforms with minimum zoning and fire code requirements, including the dedication of a portion of the property for right-of-way purposes for what would be West 28 Street, for the proposed construction of a CVS; and

WHEREAS, the two Unity of Title and Declaration of Restrictive Covenant are of no benefit to the public health, safety, and welfare, in light of the proposed development, and the property owner desires to have them released.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1. The foregoing facts and recitations contained in the preamble of this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2. The Mayor and the City Council of the City of Hialeah, Florida hereby release the Unity of Title signed on May 17, 1966, the Unity of Title signed on July

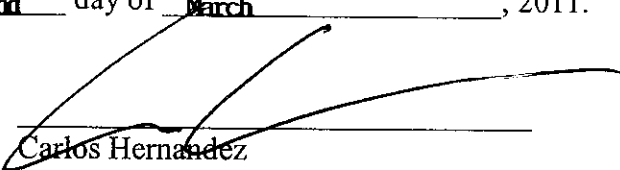
RESOLUTION NO. 11-22

Page 2

30, 1984, and the Declaration of Restrictive Covenants signed on August 11, 2000 from the property located at 1230 West 29 Street, Hialeah, Miami-Dade County, Florida and the property located at 2800 West 12th Avenue, Hialeah, Miami-Dade County, Florida.

Section 3: This resolution shall become effective upon signature of the Mayor of the City of Hialeah, Florida or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

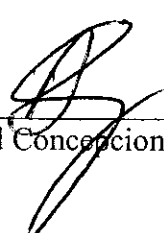
PASSED AND ADOPTED this 22nd day of March, 2011.



Carlos Hernandez
Council President

Attest:

Approved on the 2 day of March, 2011.



David Concepcion, Acting City Clerk



Mayor Julio Robaina

Approved as to legal sufficiency and form:



William M. Grodnick, City Attorney

#10164620_v3

Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".